

**Jonathan M. Radmacher, OSB No. 924314**

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Of Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

**TECHNICAL SECURITY INTEGRATION,** )  
**INC.,** a Washington corporation, )

Plaintiff, )

v. )

**PHILADELPHIA INDEMNITY INSURANCE** )  
**COMPANY,** a Pennsylvania corporation, )

Defendants. )

Civil No. 3:14-CV-01895-SB

**PLAINTIFF'S CROSS MOTION  
FOR SUMMARY JUDGMENT**

Oral Argument Requested

**LR 7-1 Certification**

In compliance with Local Rule 7-1, the parties made a good faith effort through telephonic conference (and mediation) to resolve the dispute submitted to this Court for resolution, and were unable to do so.

**Cross-Motion for Summary Judgment**

Pursuant to Fed. R. Civ. P. 56, Plaintiff moves the Court for an Order granting Plaintiff partial summary judgment, as follows: (1) ruling that Defendant had a duty to defend Plaintiff against one or more counterclaims filed against Plaintiff in the case of *Technical Security Integration, Inc. v. S&S Electrical Contractors, LLC, et al*, Case No. 3:13-cv-00636-MO (“the Underlying Suit”), and that Defendant breached its insurance contract with Plaintiff by refusing to so defend Plaintiff; and (2) ruling that Defendant breached its insurance contract with Plaintiff

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by not indemnifying Plaintiff from the judgment and award entered against Plaintiff on the covered counterclaims filed against Plaintiff in the Underlying Suit.

This Cross-Motion is supported by the Memorandum of Points and Authorities submitted herewith, the Declaration of Jonathan Radmacher submitted herewith, and the cited portions of Exhibits submitted by Defendant in support of its Motion for Summary Judgment.

DATED this 25<sup>th</sup> day of June, 2018.

MCEWEN GISVOLD LLP

By:  s/ Jonathan M. Radmacher  
Jonathan M. Radmacher, OSB No. 924314  
Of Attorneys for Plaintiff

**CERTIFICATE OF SERVICE**

I hereby certify that on June 25, 2018, I served the foregoing **PLAINTIFF'S CROSS MOTION FOR SUMMARY JUDGMENT** on the persons listed below by the methods indicated below.

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Of Attorneys for Defendant

Dated: June 25, 2018

McEWEN GISVOLD LLP

By:  s/ Jonathan M. Radmacher

Jonathan M. Radmacher, OSB No. 924314  
Of Attorneys for Plaintiff

CERTIFICATE OF SERVICE  
3:14-CV-01895-SB

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